

U.S.A.

Jesus Velasquez-HernandezNo. 08mj185

The Court's excludable delay, under the section indicated by check (✓), commenced on 1-23-08 and ended on 1-28-08; ( )

3161(h)(1) (A)**Examination for mental or physical incapacity**(1) (B)**NARA examination (28:2902)**(1) (D)**State or Federal trials or other charges pending**(1) (E)**Interlocutory appeals**(1) (F)**Pretrial motions (from flg to hrg or other prompt dispo)**(1) (G)**Transfers from other district (per FRCrP 20, 21 & 40)**(1) (J)**Proceedings under advisement** not to exceed thirty days **Misc proc: Parole or prob rev, deportation, extradition**(1) (H)**Transportation** from another district or to/from examination or hospitalization in ten days or less(1) (I)**Consideration by Court of proposed plea agreement**(2)**Prosecution deferred** by mutual agreement✓ (3) (A) (B)**Unavailability of defendant or essential witness**(4)**Period of mental or physical incompetence** of defendant to stand trial(5)**Period of NARA commitment or treatment**(6)**Superseding indictment and/or new charges**(7)**Defendant awaiting trial of co-defendant** when no severance has been granted(8) (A) (B)**Continuances** granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance(8) (B) (I)

1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.  
**(Continuance - miscarriage of justice)**

2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.  
**(Continuance - tendered a guilty plea)**

   
(8) (B) (ii) 2) **Case unusual or complex**   
(8) (B) (iii) 3) **Indictment** following arrest **cannot be filed** in thirty (30) days   
(8) (B) (iv) 4) **Continuance** granted in order to obtain or substitute counsel, or give reasonable time to prepare  
**(Continuance re counsel)**   
3161(I) Time up to **withdrawal of guilty plea**   
3161(b) **Grand jury indictment time extended** thirty (30) more daysdate 1/23/08
  
 Judge's Initials

 A  
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